USDC SDNY

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X	DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/27/2022
POINDEXTER O. EBALU,	: : :	
Plaintiff,	:	
	:	21-cv-06476 (LJL)
-V-	:	
	:	<u>ORDER</u>
NEW YORK CITY POLICE DEPARTMENT,	:	
	:	
Defendant.	:	
	:	
	X	

LEWIS J. LIMAN, United States District Judge:

On June 21, 2022, Magistrate Judge Sarah Netburn issued a Report and Recommendation recommending that the Court grant Defendant's motion to dismiss, close the case, and deny leave to amend because any amendment would be futile. Dkt. No. 28. Magistrate Judge Netburn advised the parties that they had fourteen (14) days to file written objections to the Report and Recommendation, and no such objections have been filed.

In reviewing a Magistrate Judge's report and recommendation, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Parties are given the opportunity to raise timely objections to the report and recommendation within fourteen (14) days. *Id.* The Court reviews any portion of the report subject to an objection *de novo*; however, in the absence of any objection, the Court reviews the report and recommendation only for clear error. Fed. R. Civ. P. 72(b) Advisory Committee Notes; *Colvin v. Berryhill*, 734 F. App'x 756, 758 (2d Cir. 2018).

The Court has reviewed the record and the Report and Recommendation for clear error and, finding none, hereby ORDERS that the Report and Recommendation is ADOPTED in its

entirety and GRANTS Defendant's motion to dismiss without leave to amend.

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: September 27, 2022

New York, New York

LEWIS J. LIMAN

United States District Judge